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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,675	01/05/2000	Cheol Sheong Lee	P-068	9575
34610	7590	03/09/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			BOCCIO, VINCENT F	
			ART UNIT	PAPER NUMBER
			2616	
DATE MAILED: 03/09/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/477,675	<b>Applicant(s)</b> LEE, CHEOL SHEONG	
	<b>Examiner</b> Vincent F. Boccio	<b>Art Unit</b> 2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment and RCE 1/27/05.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/5/00 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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**DETAILED ACTION**

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

***Response to Arguments***

1. Applicant's arguments with respect to all previous cancelled claims and in view of new claims 13-29 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Objections***

1. Claims 13, 27 and 29 are objected to because of the following informalities:

Claim 13, recites,

"to request the data for acquiring said broadcasting program to a provider and receive said from the provider", which is deemed grammatically incorrect,

the examiner suggests,

"to request the data for acquiring said broadcasting program from a provider and receive said from the provider".

Claims 27 and 29 are objected to, the examiner believes that these claims were intended to depend from claim 26, in view of both claims reciting, "The terminal", which is only recited in independent claim 26, not claim 25.

Appropriate correction is required.

***Drawings***

2. The drawings are objected to because.

Regarding Fig. 5, the examiner objects to this drawing in view of steps S3 & S5, the examiner believes when the connection is finished, the answer YES, should lead to downloads/downloading step {S3}, further, when downloading is finished {YES}, the next step should lead to S6, user initiating operations when downloading is finished, rather than when not finished.

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Please refer to the specification prior to amending any drawings and further cite support for any amendments made.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 13-18, 20, 21, 22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 13, recites

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"wherein the received data indicates a location information wherein the broadcast program can be acquired" and

"a time information including start time and duration of the broadcasting program",

the originally filed disclosure fails to possess wherein the received data includes location information, further in view of claim 14, wherein the data is an IP address is the location information, fails to be supported.

Claims 20, 21 and 22 also fails to be supported wherein the received data includes location information, being such as an IP address for the internet.

In addition, the claimed duration time also fails to be supported.

It is noted that claim 26 for example is supported reciting, finish time, rather than duration time.

Please review all claims present and new and further provide support for all claim limitations from the specification and drawings supporting the possession of the limitations of the claims.

**Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 13, 16-20, 23, 24, 25, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Grooters (US 6,684,399).

Regarding claims 13 and 16, Grooters discloses and meets the limitations associated with an apparatus for obtaining data for acquiring a broadcast program, the apparatus comprising:

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- a terminal configured to request the data for acquiring the broadcasting program for a providing and receive the data from the provider (Fig. 4, col. 6, "search internet sites that relate directly to broadcasting stations ... media cites ... radio stations");
- storage means to store the received data (the guide of Fig. 4 is stored to be viewed by the user at their {user's}, terminal to be viewed);
- wherein the data indicates a location information where the broadcasting program can be acquired and time information of the broadcasting program (location met by HTTP://www.concerts.com.....), having start times and showing duration information, live programming, as well as pre-recorded having URL type location information and wherein live space shuttle duration represented by 10:00 to 11:00, wherein the user terminal or apparatus has means for transmitting a request to and from a provider, based on the address data.

Regarding claim 17, Grooters further meets the limitations of wherein the location information includes a broadcasting station name (Fig. 4, such as web based, NASA, Technocon, others such as, MOM, CNR), wherein URLs and IP addresses, are names.

Regarding claim 18, Grooters further meets the limitations of wherein the data is received from the internet (col. 5, "a world wide network 222 such as the internet").

Claims 19-20, 23, 24, 25, 27, are analyzed and discussed with respect to the claims above, wherein Fig. 4, shows start and end/finish times associated with broadcasting programs, wherein the user requests the data, thru the internet and stores which is required to be rendered to the user at their terminal or apparatus, wherein the received data includes location and station name (Fig. 4).

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**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14-15, 21-22, 26, 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grooters (US 6,684,399).

Regarding claims 14-15, Grooters provides for having location information, wherein this information is stored at the user's apparatus or terminal to request internet data, as shown in Fig. 4, HTTP://WWW.NASA.GOV/Shuttle/coverage.VID", being a URL, but, fails to disclose having an IP for an address for Web content.

The examiner takes official notice that the URL as understood is an indirect address that is converted or modifies to the corresponding IP address, or wherein the IP address is a direct address, while the URL is an indirect address, that is converted, thru such as a lookup table to the IP address, therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Grooters by utilizing a direct address, or an IP address -vs- a URL address, which is deemed a design choice and also an obvious functional equivalent to utilize an IP address -vs- a URL address, the end result being the same, accessing WEB content, as would have been obvious to those skilled in the art at the time of the invention.

Regarding claims 21-22, Grooters must use a URL and must be stored prior to requesting or accessing with address, to request from the World Wide Web EPG data, but, fails to disclose, wherein the data is requested by using an IP address of the location information. Reference Official Notice above.

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It is further obvious to request data thru a stored IP or URL, as is obvious to those skilled in the art, wherein the IP direct while the URL is deemed to be indirect, as is obvious to those skilled in the art.

Claims 26, 28-29 are analyzed and discussed with respect to the claims above, having an IP, wherein the IP meets the limitation of a name.

**Contact Fax Information**

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
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or faxed to:

(703) 872-9314, (for formal communication  
intended for entry)

or:

(703) 308-5359, (for informal or draft communications,  
please label "PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal  
Park II, 2121 Crystal Drive, Arlington, VA., Sixth  
Floor (Receptionist).

**Contact Information**

Any inquiry concerning this communication or earlier  
communications should be directed to the examiner of  
record, Monday-Thursday, 8:00 AM to 5:00 PM Vincent F.  
Boccio (703) 306-3022.

Any inquiry of a general nature or relating to the status  
of this application should be directed to Customer Service  
(703) 306-0377.

Primary Examiner, Boccio, Vincent  
3/7/05

  
VINCENT BOCCIO  
PRIMARY EXAMINER